

1 SUNETHRA MURALIDHARA, ESQUIRE
Nevada Bar No. 13549
2 WRIGHT MARSH & LEVY
300 S. Fourth Street
3 Suite 701
Las Vegas, NV 89101
4 Phone: (702) 382-4004
Fax: (702) 382-4800
5 smuralidhara@wmllawlv.com
Attorney for Defendant Smith
6

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 UNITED STATES OF AMERICA,)
12 Plaintiff,)
13 vs.)
14 MARK SMITH,)
15 Defendant.)
16

CASE NO. 2:15-CR-00269-RFB-PAL-1

17 **STIPULATION TO CONTINUE SENTENCING HEARING**
18 **(Seventh Request)**

19 IT IS HEREBY STIPULATED AND AGREED, between the United States of America, by
20 and through its attorney, Nicholas Trutanich, United States Attorney, through Daniel J. Cowhig,
21 Assistant United States Attorney; and Defendant Mark Smith, by and through his counsel, Sunethra
22 Muralidhara, Esquire, Wright Marsh & Levy, that the sentencing hearing currently scheduled for
23 May 23, 2019 at 4:00 p.m. be vacated and set to a date and time convenient to this Court, but no
24 sooner than ninety (90) days from the current sentencing date.

25 This stipulation is entered into for the following reasons:

- 26 1. The Defendant is not in custody and does not object to the continuance.
27 2. Since the sixth continuance of the sentencing date, new defense counsel has been
28 appointed. Undersigned defense counsel was appointed on May 1, 2019. ECF 61.

1 3. Defense counsel needs additional time to review the case, meet with Mr. Smith, and
2 prepare mitigation for a sentencing memorandum and presentation in support of a just and reasonable
3 sentence.

4 4. The parties agree to the continuance.

5 5. Additionally, denial of this request for continuance could result in a miscarriage of
6 justice.

7 6. The additional time requested by this Stipulation is made in good faith and not for
8 purposes of delay.

9 This is the seventh request for a continuance of the sentencing hearing

10 Dated this 2nd day of May, 2019.

11 Respectfully submitted:

12 WRIGHT MARSH & LEVY

NICHOLAS TRUTANICH
UNITED STATES ATTORNEY

13
14 BY /s/ Sunethra Muralidhara
15 SUNETHRA MURALIDHARA, ESQUIRE
16 Attorney for Defendant Smith

BY /s/ Daniel J. Cowhig
DANIEL J. COWHIG
Assistant U.S. Attorney

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,)
4 Plaintiff,)
5)
6 vs.)
7 MARK SMITH,)
8 Defendant.)
)

CASE NO. 2:15-CR-00269-RFB-PAL-1

9 Based on the Stipulation of the parties, the sentencing hearing in this matter is hereby
10 continued. The ends of justice served by granting said continuance outweigh the best interest of the
11 public and the Defendant in a speedy sentencing, since the failure to grant said continuance would
12 be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and
13 the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking
14 into account the exercise of due diligence.

15 IS IT HEREBY ORDERED that the sentencing in the above-captioned matter currently
16 scheduled for May 23, 2019 at 4:00 p.m., be vacated and continued to August 22, 2019 at 2:00 PM

17 DATED: May 3, 2019

18
19 

20 _____
21 RICHARD F. BOULWARE, II
22 United States District Judge
23
24
25
26
27
28